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C O N F I D E N T I A L SECTION 01 OF 03 ADDIS ABABA 002903

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SUBJECT: NATIONAL ELECTORAL BOARD WELL-TRAINED, SOLID ON
PROCESS

REF: A. ADDIS ABABA 2741

1B. ADDIS ABABA 2817

1C. ADDIS ABABA 2877

1D. ADDIS ABABA 2878

1E. ADDIS ABABA 2880

Classified By: Classified by CDA Tuli Mushingi for Reasons 1.4 (b) and (d)

11. (C) Summary: The National Electoral Board of Ethiopia (NEBE) Chairman told visiting Deputy Assistant Secretary Karl Wycoff the NEBE was prepared to hold free, peaceful and fair parliamentary elections in 2010. Over the past year, the NEBE has carried out strategic planning, structural reform and logistical training in order to prepare 200,000 election workers to staff 43,000 polling stations. While the NEBE has a legal mandate to carry out the elections, the mandate of the new Joint Council of Political Parties is to remedy electoral complaints in the first instance through discussion and the collaborative process. The NEBE is receiving extraordinary scrutiny on the issue of registration of political parties. (Note: Following DAS Wycoff's visit, on December 4 the NEBE issued the Forum a temporary certificate of registration and recognition of legal personality valid for five years. End Note.) The NEBE Chairman expressed confidence that new voting observation guidelines and procedures, including smaller polling places and more stringent vote counting, would lead to a smoother process on election day. Stressing the importance of free and fair elections, DAS Wycoff emphasized the importance of the impartial, effective, and transparent role for the NEBE, including the provision of a credible and timely dispute resolution mechanism and prompt and fair registration of parties and candidates. End Summary.

NEBE Preparations for 2010 Elections

12. (SBU) In a November 20 meeting with visiting Deputy Assistant Secretary Karl Wycoff, National Electoral Board of Ethiopia (NEBE) Chairman Merga Bekana said the NEBE was prepared to hold free, peaceful, and fair parliamentary elections on May 23, 2010. Merga stated that &this election will be different from the three previous elections, because this election will be government by rules and regulations.⁸ He further stated that since 2005, the NEBE has carried out a strategic plan for strengthening its electoral process that was drafted with UNDP assistance.

13. (SBU) To this end, the NEBE has added professional staff to the Board, carried out a technical survey of logistical challenges and drafted a plan to address those challenges, reviewed and revised NEBE directives concerning electoral

conduct, sent NEBE staff to numerous international training programs and participated in elections monitoring in Africa, Europe, Asia, and the United States, developed training materials for poll workers, and developed standardized voter education materials to be used throughout the country. Merga emphasized the importance of providing standardized voter education materials to the electorate, noting that the provision of disparate materials by parties in the previous election created misunderstanding and conflict. He stated that the NEBE has nearly completed Amharic, English, and local language training materials for more than 200,000 poll workers, which will be distributed in the coming months, but did not explain how training would be conducted. DAS Wycoff stressed the importance of an impartial, effective, and transparent role for the NEBE, including in a credible and timely dispute resolution mechanism and in prompt and fair registration of parties and candidates.

Joint Council of Political Parties a Political Mechanism, NEBE a Legal Mechanism

¶4. (SBU) Merga described the electoral Code of Conduct (CoC) recently drafted by four political parties and signed by a total of 65 parties who have now formed a "Joint Council of Political Parties" as a &breakthrough in Ethiopian politics,⁸ which will &create an environment of harmony and trust between political parties that has not existed in the past.⁸ In response to DAS Wycoff's question how the CoC would add to Ethiopia's existing electoral laws, and how the Joint Council established by the CoC will function beside the NEBE, Merga explained that the Joint Council is a &political

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mechanism⁸ comprised of party leaders, which is intended to remedy electoral complaints in the first instance through discussion and collaborative process. However, the NEBE still has a legal mandate to conduct elections, investigate irregularities, and resolve grievances. When allegations of misconduct cannot be resolved by the Joint Council, they will be moved to the NEBE, which provides a &legal mechanism⁸ to resolve disputes. Allegations that cannot be resolved by the NEBE will be resolved by the courts.

Registration of Political Parties

¶5. (SBU) In response to DAS Wycoff's query regarding the progress of political party registration, Merga admitted that the NEBE was receiving extraordinary scrutiny on this issue, and asserted that the NEBE is &loyal to our nation and our constitution, but not to political parties.⁸ For the most part, party registration is being carried out with little difficulty, but the much-scrutinized request for registration of the coalition of eight parties comprising the Forum for Democratic Dialogue (Forum) has presented challenges. Merga and NEBE Deputy Chairman Addisu Gebreigzabhier said the Forum is not formally recognized as an alliance by the NEBE at present, but rather each of the eight parties is recognized as an independent entity. Merga stated that while the eight parties want to register as &an alliance,⁸ they do not necessarily meet the legal criteria to do so. (Note: Following DAS Wycoff's visit, on December 4 the NEBE issued the Forum a temporary certificate of registration and recognition of legal personality valid for five years. End Note.)

¶6. (C) For example, according to Merga, the Oromo People's Congress (OPC) has already registered with the NEBE in a &union⁸ with several parties from the Southern Nations, Nationalities, and Peoples Region, and has registered in &coalition⁸ with the Oromo Federalist Democratic Movement (OFDM), but now wants to register an &alliance⁸ with the seven other Forum members. And while alliances are permitted by Ethiopia's electoral law, there are currently no provisions governing the issue of multiple and potentially contradictory alliances. &Technically,⁸ stated Merga, &this is a problem for us.⁸ Merga and Addisu noted that

they &don,t understand the Forum,s ulterior motive8 and have no idea how the parties intend to slate candidates, suggesting that while they are assessing the issue of the Forum,s registration, a solution is not imminent.

Election Observers

17. (SBU) On the issue of election observers, Merga explained that while the NEBE is authorized to govern all election observers, and has drafted new regulations to govern them, the Ministry of Foreign Affairs (MFA) has the mandate to invite and approve international observers. Once an invitation has been issued, the NEBE will license them and regulate their conduct. To date, the MFA has invited, but not yet formally approved any international observers. Regarding domestic observers, Merga stated that in 2005 a major problem resulted from the presence of too many people at polling stations. As a result, for the 2010 elections, the NEBE has delineated polling districts of no more than 1,000 voters, and will send five public election observers to each polling place. This does not include party observers, who will be permitted at each polling place where they have a registered candidate, and any international observers approved by the MFA.

18. (SBU) DAS Wycoff emphasized the importance of the presence of impartial domestic and international observers. He also expressed the need for a role for civil society participation in the elections, and expressed concern about how the Civil Society Proclamation might exclude experienced certain organizations from conducting both domestic observation as well as voter education in the runup to the elections. DAS Wycoff highlighted the importance of the creation of an environment conducive to participation in an open election process by all political parties, including both the ruling party as well as all opposition parties.

19. (SBU) Merga expressed great confidence in the NEBE,s newly drafted observation procedures, detailing that thirty minutes before voting begins in each polling place, each

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party observer must sign a Memorandum of Understanding (MOU) that the ballot box is empty. Public observers will then conduct voting throughout the day, in the presence of any party and international observers. At the end of voting, all votes will be counted by public observers at the polling places where they were made, in the presence of all observers. Each party observer must then sign the MOU stating that the tabulation was fair. There will be no transportation of ballot boxes, to eliminate the potential for cheating. Rather, each polling station will post its tabulation locally, and send that number to the NEBE in Addis Ababa. The NEBE will then publicly post results by polling station, which can be compared with and verified against the local tallies.

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